

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7645

Petition of Cross Pollination, Inc., for a certificate of)
public good, pursuant to 30 V.S.A. Section 248,)
authorizing the construction and operation of a 2.2)
Megawatt solar electric generation facility, consisting of)
22 rows of rack-mounted photovoltaic panels)
approximately 10 feet in height, on the eastern side of)
Route 7 in the Town of New Haven, Vermont)

Order entered: 9/8/2010

PREHEARING CONFERENCE MEMORANDUM

I convened a prehearing conference in this matter on September 2, 2010. The conference was attended by Cross Pollination, Inc. ("CP"), the Vermont Department of Public Service ("Department"), the Vermont Agency of Natural Resources ("ANR"), all represented by counsel. Also attending were the Agency of Agriculture, Food, and Markets, the Town of New Haven, and the Addison County Regional Planning Commission, as well as Mr. John Madden, *pro se*. Both the Addison County Regional Planning Commission and Mr. Madden have moved to intervene in this matter.¹ Counsel for CP had not yet seen the motion by the Planning Commission; however, he could state that he had no objection to Mr. Madden's motion, and no other party objected, so Mr. Madden's motion to intervene was granted forthwith.²

1. Note that, while the Department of Public Service and the Agency of Natural Resources are statutory parties in this matter, neither the Agency of Agriculture, Food, and Markets, nor the Town of New Haven is, so they must each file a motion to intervene if they wish to continue as actual parties.

2. It is my understanding from his filing that Mr. Madden intends to intervene on the various issues of aesthetics and orderly development. If he intends to explore further issues, he should make those issues known by the deadline for motions to intervene, with responses by the response date for motions to intervene.

After a lengthy colloquy, I approved the following schedule negotiated among the parties:

September 9, 2010	Initial discovery served upon CP by DPS and ANR
September 17	Responses to initial discovery
September 28	Site visit/Public Hearing
October 4	Deadline for motions to intervene
October 8	Responses to motions to intervene
October 15	Target for ruling on motions
October 20	Discovery served upon CP
October 27	Responses to discovery
November 3	Deadline for parties to file stipulation or direct testimony by DPS, ANR, and intervenors
November 10	Discovery served upon DPS, ANR, and intervenors
November 18	Target for technical hearing if stipulation is filed
November 24	Responses to discovery
December 13 (week of)	Target for technical hearing
January 5, 2011	Initial briefs
January 12	Reply briefs

SO ORDERED.

Dated at Montpelier, Vermont, this 8th day of September, 2010.

s/ John P. Bentley
John P. Bentley, Esq.
Hearing Officer

OFFICE OF THE CLERK

FILED: September 8, 2010

ATTEST: s/ Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)